

105TH CONGRESS
2D SESSION

H. RES. 533

Expressing the sense of the House of Representatives regarding the culpability of Hun Sen for war crimes, crimes against humanity, and genocide in Cambodia (the former Kampuchea, the People's Republic of Kampuchea, and the State of Cambodia).

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 1998

Mr. ROHRABACHER submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives regarding the culpability of Hun Sen for war crimes, crimes against humanity, and genocide in Cambodia (the former Kampuchea, the People's Republic of Kampuchea, and the State of Cambodia).

Whereas the destruction of civil society in Cambodia (the former Kampuchea, the People's Republic of Kampuchea, and the State of Cambodia) began with the rise to power of the Khmer Rouge in 1975, when Hun Sen was a field commander under Pol Pot, until 1977, during the "killing fields" period, when extreme violence was committed against the Cambodian people, resulting in the deaths of up to 2,000,000 people;

Whereas under the Vietnamese communist occupation of Cambodia between 1979 and 1989, Hun Sen was among a large number of former Khmer Rouge members who were designated by the Vietnamese communists as surrogate leaders of the People's Republic of Kampuchea, where international human rights organizations documented widespread persecution and exploitation of Cambodia's resources that resulted in the deaths of hundreds of thousands, the arbitrary arrest, detention, torture, and summary execution of tens of thousands, and the displacement of nearly 350,000 refugees in neighboring countries;

Whereas during the period leading to internationally supervised elections in 1993, as Prime Minister of the State of Cambodia and a Politburo member of the communist Cambodian People's Party (CPP), Hun Sen was responsible for the disappearances, murder, and assassination attempts against democratic opponents of the Cambodian People's Party;

Whereas after the Cambodian People's Party lost the 1993 national election, Hun Sen led an armored column that threatened a military coup, resulting in his being given a share of the Prime Minister position with the election winner, Prince Norodom Ranariddh, and his Cambodian People's Party maintaining control of the military, the internal security forces, and provincial government administration, and in addition Hun Sen formed a large private army and security force funded, in part, by reputed drug baron Teng Bunma;

Whereas in July 1997, Hun Sen ordered a coup d'etat against First Prime Minister Prince Ranariddh which resulted in the deaths of hundreds of innocent people

caught in the crossfire and the torture and summary execution of at least 200 people and the forced displacement of at least 30,000 as these assaults continued on people or communities loyal to Prince Ranariddh;

Whereas during the period leading to the July 1998 national election there were widespread reports of threats, assaults, and up to 100 deaths of members of parties opposed to Hun Sen;

Whereas in September 1998, Hun Sen ordered a violent crackdown on thousands of unarmed demonstrators, including Buddhist monks, who supported credible investigations of irregularities in the electoral process and the change in the format for allocating seats in the National Assembly which permitted Hun Sen to maintain a small edge over Prince Ranariddh's FUNCINPEC Party and entitled Hun Sen to maintain the post of Prime Minister, which resulted in the brutality toward tens of thousands of pro-democracy advocates and the deaths of an unknown number of people, and led to widespread civil unrest which threatens to further destroy Cambodian society;

Whereas on July 17, 1997, the United Nations voted to create the International Criminal Court (ICC) to implement international criminal law established by treaties or by custom and practice, including genocide, crimes against humanity, and war crimes; and

Whereas Hun Sen has been the single person who has the highest government office in a repressive and violent regime, and has the power to decide for peace and democracy and has instead decided for killing and repression, who has the power to minimize illegal actions by subordinates and allies and hold responsible those who commit-

ted such actions, but did not, and who once again is directing a campaign of murder and repression against unarmed civilians, while treating with contempt international efforts to achieve a fair and peaceful resolution to the question of a genuinely democratic government in Cambodia: Now, therefore, be it

1 *Resolved*, That it is a sense of the House of Rep-
2 resentatives that—

3 (1) the United States should publicly declare
4 that there is reason to believe that Hun Sen, Prime
5 Minister of Cambodia (the former Kampuchea, the
6 People's Republic of Kampuchea, and the State of
7 Cambodia), has committed war crimes, crimes
8 against humanity, and genocide;

9 (2) the United States should establish a collec-
10 tion of information that can be supplied to the Inter-
11 national Criminal Court (ICC) for use as evidence to
12 support an indictment and trial of Hun Sen for war
13 crimes, crimes against humanity, and genocide a
14 high priority;

15 (3) any such information concerning Hun Sen
16 and persons under his authority already collected by
17 the United States, including information regarding
18 the March 1997 grenade attack against Sam Rainsy,
19 should be provided to the International Criminal
20 Court at the earliest possible time;

1 (4) the United States should work with mem-
2 bers of interested countries and nongovernmental or-
3 ganizations relating to information any country or
4 organization may hold concerning allegations of war
5 crimes and crimes against humanity posed against
6 Hun Sen and any person under his authority in
7 Cambodia and give all such information to the Inter-
8 national Criminal Court;

9 (5) the United States should work with other
10 interested countries relating to measures to be taken
11 to apprehend indicted war criminals and persons in-
12 dicted for crimes against humanity in Cambodia
13 with the objective of concluding a plan of action that
14 will result in the prompt delivery of these inditees
15 into the custody of the International Criminal Court;
16 and

17 (6) the United States should urge the Inter-
18 national Criminal Court to promptly review all infor-
19 mation relating to Hun Sen's possible criminal cul-
20 pability for conceiving, directing, and sustaining a
21 variety of actions in the former Kampuchea, Peo-
22 ple's Republic of Kampuchea, the State of Cambodia
23 and the current Cambodia that have had the effect
24 of genocide, of war crimes, and other crimes against

- 1 humanity with a view toward prompt issuance of a
- 2 public indictment of Hun Sen.

